

INTRODUCTION

[Aug] 8th being First day of Week 'rose Early & took a Walk to the Antient Seat of my Grandfather B. Shurmer before mentioned to View the Burial place of my prediccursors seated on a Hill E.S.E. of the Mansion House distance there from about 500 paces reserved in the sale of the place by the Heirs of said Shurmer for a Burial Ground to them & their Heirs forever, here Lyes the ashes of my Grandmother Sarah Shurmer my father & mother John & Sarah Mifflin, but no Traces left of their Graves. And altho I look upon the pomp of Tomb & head stones to be a relict of Paganism yet I allow that for Decency's Sake a mark Should be set on their Graves that when Others come to be Buried we may not Disturb their Bones ---

Benjamin Mifflin, 1762, discussing family farm in Kent County (Paltsits 1935)

The purpose of this report is to describe final archaeological investigations at the Lafferty Lane Cemetery, 7K-D-111, southwest of the intersection of U.S. 113 (Bay Road) and Lafferty Lane, Dover, Delaware (Figure 1). The investigations were conducted in September, October, and November, 1988 by the University of Delaware Center for Archaeological Research (UDCAR) for the Delaware Department of Transportation (DelDOT) and the Federal Highway Administration under Section 106 of the National Historic Preservation Act of 1966 to evaluate the effects of a proposed highway relocation and reconstruction on significant or potentially significant cultural resources as defined by the National Register of Historic Places (36CFR60). The archaeological investigations were conducted because the realignment of Lafferty Lane (Figure 2), necessitated by the location of the Delaware Route 1 Relief Corridor, would potentially affect the cemetery. There were no surface indications of the existence of this cemetery present within the

The map shows the Dover, Delaware area with the following features:

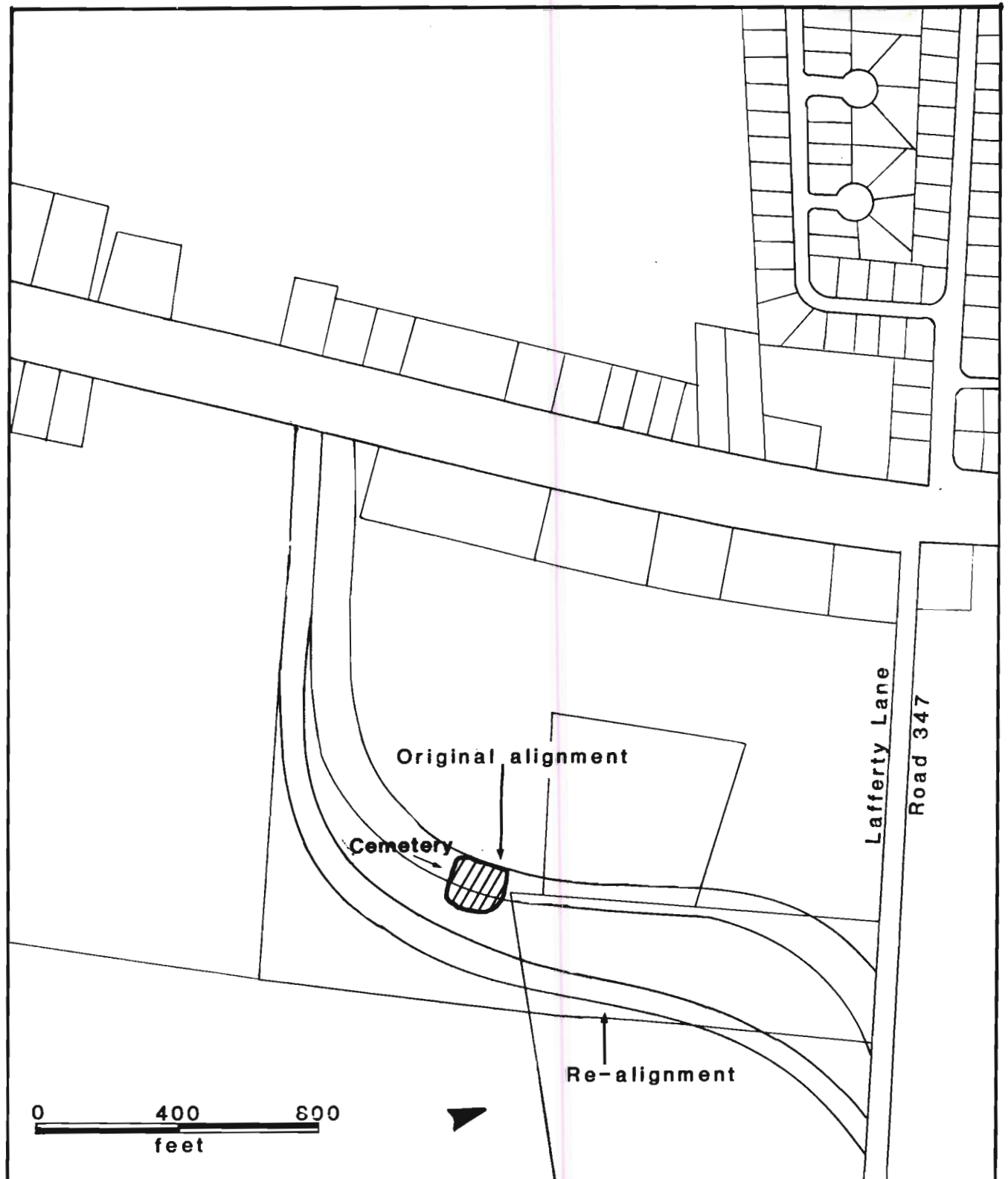
- Geographic Features:** Delaware River, Dover, NJ, DE, MD, Newark, Middletown, Odessa, Smyrna, Clayton, Edge Hill, Oak Grove, Morgan Branch, Lafferty Lane Cemetery (7K-D-111), Capitol Park, Blue Hen Mall, Deldot Administration Building, Capitol Green, Trailer Parks, Tanks, Grave Pit, Isaac, Fish Hatchery, Tower.
- Roads:** DuPont Highway, Highway 13, Highway 10, Highway 15, Highway 36, Highway 39, Highway 40, Highway 41, Highway 42, Highway 43, Highway 44, Highway 45, Highway 46, Highway 47, Highway 48, Highway 49, Highway 50, Highway 51, Highway 52, Highway 53, Highway 54, Highway 55, Highway 56, Highway 57, Highway 58, Highway 59, Highway 60, Highway 61, Highway 62, Highway 63, Highway 64, Highway 65, Highway 66, Highway 67, Highway 68, Highway 69, Highway 70, Highway 71, Highway 72, Highway 73, Highway 74, Highway 75, Highway 76, Highway 77, Highway 78, Highway 79, Highway 80, Highway 81, Highway 82, Highway 83, Highway 84, Highway 85, Highway 86, Highway 87, Highway 88, Highway 89, Highway 90, Highway 91, Highway 92, Highway 93, Highway 94, Highway 95, Highway 96, Highway 97, Highway 98, Highway 99, Highway 100.
- Other Features:** Lafferty Lane Cemetery (7K-D-111), Capitol Park, Blue Hen Mall, Deldot Administration Building, Capitol Green, Trailer Parks, Tanks, Grave Pit, Isaac, Fish Hatchery, Tower.

An inset map in the top right corner shows the location of Dover, Delaware, relative to New Jersey (NJ), Maryland (MD), and the Delaware River. The inset map includes labels for Newark, Middletown, Odessa, Smyrna, Clayton, and Dover, and shows the location of the cemetery (7K-D-111) near Dover.

A scale bar at the bottom right indicates a distance of 0.5 miles. A north arrow is also present.

FIGURE 2

Original Alignment of Lafferty Lane and Later
Re-alignment Shift due to Discovery of Cemetery



proposed right-of-way prior to the start of the investigation. Archival research alerted the investigators to the potential existence of a nineteenth century cemetery within the project corridor and this research will be discussed more fully below.

The goals of this investigation included the definition of the limits of the site, verification of the presence of skeletal remains within the graveshafts, and an attempt to determine the identities of those buried within. Subsequent DelDOT planning decisions, in particular the shifting of the proposed right-of-way to avoid the cemetery, obviated the need for the removal, study, and reinterment of the skeletal remains as required by the recently enacted Delaware State Burial Law: Senate Bill 12, Subchapter 11 (Appendix I).

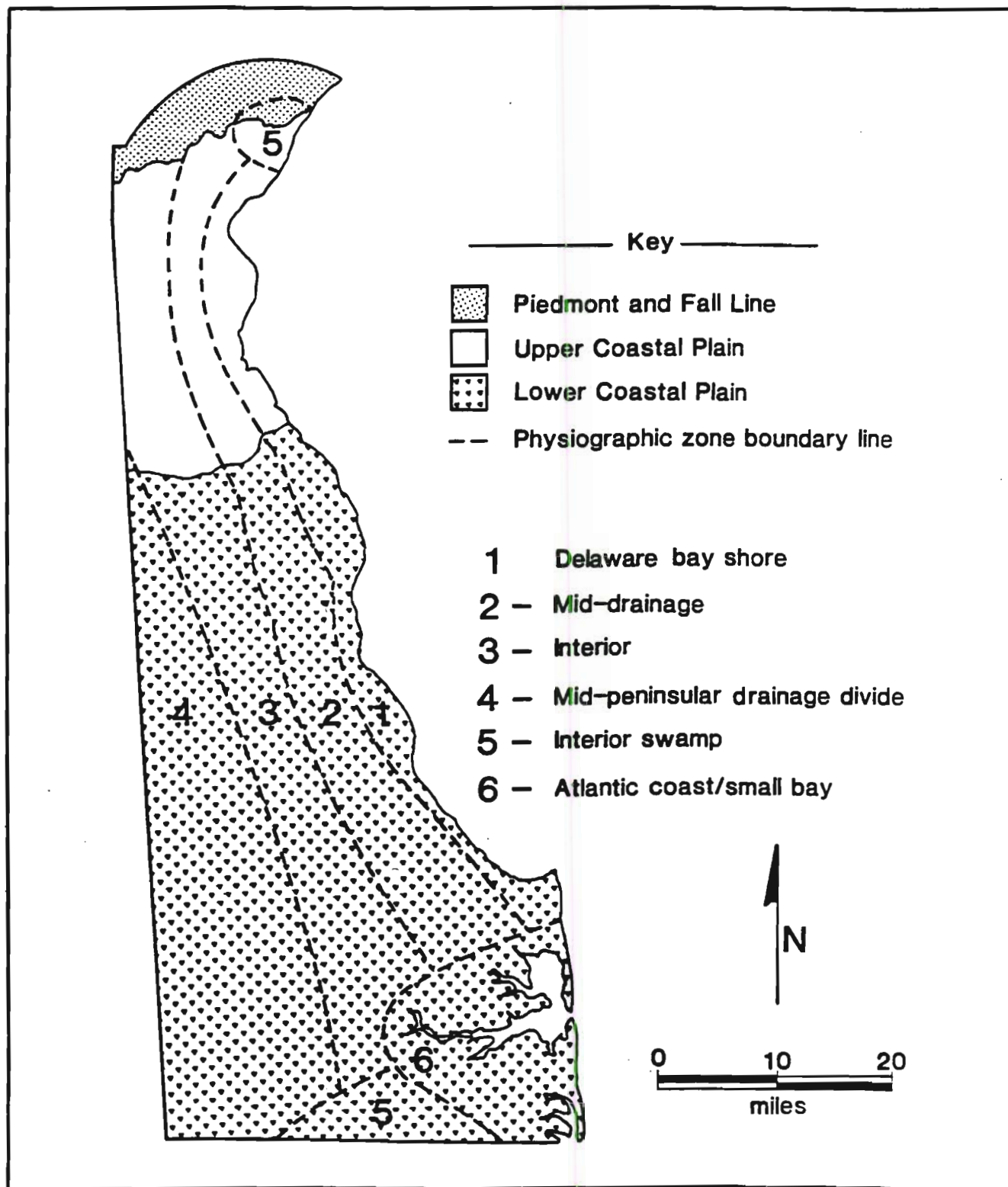
The research presented below will be organized into a discussion of the environmental setting, background research, excavation methods, results of fieldwork, intra- and inter-site analysis and interpretation, and concluding statements.

ENVIRONMENTAL SETTING

The project area is located in Kent County within the Low Coastal Plain physiographic province (Figure 3). The Low coastal Plain is underlain by the sand deposits of the Columbia Formation (Jordan 1964:40), and reworking of these sediments has produced a relatively flat and featureless landscape. Elevation differences range up to 30 feet (10 meters), and these small differences are moderated by long gradual slopes. These differences are, nonetheless, sufficient to cause differential distributions of plant and animal species. Water courses are tidal and brackish

FIGURE 3

Physiographic Zones



along their middle and lower reaches with extensive fringing marshes increasingly prevalent moving downstream along their lower reaches.

Site 7K-D-111 lies on an abandoned farm bounded on the west by U.S. 113 (Bay Road), on the north by Lafferty Lane, on the south by Dover Air Force Base, and on the east by a mixture of woodlots and agricultural fields (Figure 1). A large open field is situated across Lafferty Lane to the north, and some distance to the northeast and east of the site lie several swamps which form the headwaters for numerous streams draining into the Little River. Commercial structures line both sides of U.S. 113, but Lafferty Lane has seen little development and retains much of its rural character.

REGIONAL HISTORY

This short historical overview is abstracted from Munroe (1978, 1984), Hoffecker (1973, 1977), Weslager (1961, 1967), Lemon (1972), Hancock (1932, 1947, 1976), Hudson (1969), Scharf (1888), Hayes (1860), and Bausman (1940, 1941). A more detailed historical overview of the general Route 13 Corridor is provided in the Phase I/II research plan (Custer, Bachman, and Grettler 1987).

The earliest colonial settlement in Delaware known as Swanendael ("valley of swans") was made at present Lewes in 1631 under the sponsorship of patroons of the Dutch West India Company for the purpose of whaling and raising grain and tobacco. This venture was privately financed, but it ended in tragedy as the all-male population was massacred by the local Indians in 1632.

Farther north, a group of Swedes in the employ of the New Sweden Company built Fort Christina in 1638 in what is now part of the present city of Wilmington establishing the first permanent European settlement in Delaware. The Swedish government supported the venture, and Fort Christina became the nucleus of a scattered settlement of Swedish and Finnish farmers known as New Sweden. Within a few years, this Swedish settlement included a fort, church, and small farming community.

The Dutch claimed the identical land -- from the Schuylkill River south -- by right of prior discovery, and in 1651 the West India Company retaliated by building Fort Casimir at New Castle in an attempt to block Swedish efforts to control commerce in the Delaware River. The Swedes captured this fort in 1654 and renamed it Fort Trinity. Rivalry between Swedes and Dutch continued, and the Dutch recaptured Fort Trinity in 1655, and also seized Fort Christina. As a result, New Sweden went out of existence as a political entity due to lack of support from the homeland although the Swedish families continued to observe their own customs and religion.

In 1657, as a result of peaceful negotiations, the city of Amsterdam acquired Fort Casimir from the West India Company and founded a town in the environs of the fort called New Amstel. This was a unique situation in American colonial history -- a European city became responsible for the governance of an American colony. A small fort was also erected at Lewes in 1659 for the purpose of blocking English intrusion, and a few settlers built homes there including 41 Dutch Mennonites who established a semi-socialistic community in July of 1663. They, too, were

under the supervision of local officials appointed by the burgomasters of Amsterdam.

English hegemony of the region began in 1664 when Sir Robert Carr attacked the Dutch settlement at New Amstel on behalf of James Stuart, Duke of York, brother to Charles II. This attack was an important move on England's part to secure her economic position in the New World. New Amstel, renamed New Castle, was sacked by English soldiers and sailors who plundered the town, and English officers confiscated property and livestock, as well as the personal property and real estate owned by the local Dutch officials. A transfer of political authority from Dutch to English then followed, and the Dutch settlers who swore allegiance to the English were allowed to retain their lands and personal properties with all the rights of Englishmen. Former Dutch magistrates continued in office under English authority, and Swedes, Finns, and Dutch alike peacefully accepted the rule of the Duke of York through his appointed governors.

In 1671, the Duke of York made the first land grants in the area of present Kent County. By 1679, 53 grants had been made. With water transportation the major mode of travel and commerce in the late seventeenth century, most of the lands granted in Delaware had frontage on a navigable stream or waterway. In Kent County, twenty-one of the 53 grants made by 1679 were along the St. Jones River.

Overland travel was extremely difficult in the region throughout the seventeenth and eighteenth centuries with heavily wooded and marshy areas constituting major obstacles. The

sparseness of the population and corresponding lack of accommodations for travelers added to the discomfort and dangers of overland transportation. In 1680, people living in the upper part of Kent County, then part of Whorekill County, petitioned Governor Andros to create a new, smaller county to be called St. Jones County. In 1682, William Penn was granted proprietary rights over Pennsylvania and the Lower Three Counties which included all of modern Delaware. Relations with Pennsylvania deteriorated and boundary conflicts soon developed in St. Jones County, renamed Kent by 1683. The border with New Castle County was Duck (Smyrna) Creek, but as the creek did not extend very far to the west, the western part of the boundary was left undefined. Even more significant were rival claims by the Calverts in Maryland. The Delaware-Maryland border, particularly along northern Kent County, was hotly disputed until it was permanently fixed in 1765.

Waterways were important to transportation and commerce as early roads were limited in number and of poor condition. The few existing roads led to landings on rivers and the Delaware Bay where produce and goods were shipped by cheaper and more efficient water transport. The Delaware River and Bay served as a major focus of water transportation because the majority of Delaware's streams flow eastward to these bodies. For this reason, the large port city of Philadelphia, and to a lesser extent Wilmington and New Castle, exerted major commercial influence on the Delaware counties throughout the eighteenth century and later. Wilmington, New Castle, and Lewes were also ports for ocean-going vessels involved in export trade. Overland

transport was limited to a few major roads, such as the eighteenth century post road connecting Philadelphia-Wilmington-New Castle-Odessa-Middletown-Dover-Lewes with a western branch at Milford linking it to the Chesapeake Bay. Small secondary roads and paths interconnected numerous villages and hamlets and were relatively common within the study area.

One reason for the relatively slow growth of Kent County beyond the St. Jones River drainage was a lack of any extensive network of navigable streams or good roads in the western part of Kent County. Land north and west of the navigable portions of Duck, St. Jones, Little and Murderkill Creeks, were more sparsely populated than other areas in Kent County because of the importance of water transportation in the cheap movement of bulky agricultural products.

In an attempt to improve the roads in the Lower Counties, the General Assembly in 1752 and again in 1761 called for the repair of the "King's Road" between the New Castle-Kent County border and Lewes which was present in the 1680s. The eighteenth century laws called for the road to be 40 feet wide with all but ten feet cleared. Secondary roads of 30 feet in width and all but ten feet cleared were also to be constructed. From Salisbury (just north of present day Smyrna and later known as Duck Creek Village) along the New Castle-Kent County border, the post road continued south through Dover, Camden, Milford and Frederica, eventually to reach Lewes and the Maryland border (Laws of the State of Delaware 1797:320, 390-394).

By the middle of the eighteenth century, population increases and commercial expansion stimulated the growth of towns and the development of transportation and industry. Dover and Smyrna emerged as the two largest towns in Kent County, with markets, landings, and central locations attracting new settlers. The population of Kent County in the study area grew through both natural increase and the continued movement of new peoples into the area from Maryland, Pennsylvania, the other two counties of Delaware, and from Europe, particularly Great Britain. A census taken privately in 1760 gave the population of Kent County as 7,000 individuals (Conrad 1908:580).

The median size of land warrants granted in 1735 in Kent and New Castle counties was between 200 and 300 acres, with the typical grant close to 200 acres (Penna. Archives 1891:193-202). Larger grants, however, were not uncommon. If New Castle County and southeastern Pennsylvania can be used as a rough comparison, the density of rural settlement in northern Kent County was approximately five households per square mile (Ball 1976:628).

Throughout the late eighteenth and nineteenth centuries, the agrarian Delmarva peninsula was considered an area of production and transshipment between the Chesapeake Bay markets (Annapolis and Baltimore) and the Delaware River and Bay markets (Philadelphia and New York). As local markets prospered, so too did the hamlets and other unplanned towns that had sprung up at crossroads and around taverns, mills, and landings. Important landings included the Brick Store, Hay Point, and Short landings along the Smyrna River; Dona, Naudain, and White Hall landings along the Leipsic River; and Lebanon, Forest, and White House

landings along the St. Jones. Landings, as well as towns and hamlets in the study area, formed, grew, and sometimes declined according to local and regional economic conditions.

Throughout Delaware's agricultural history, farm labor has been a valued commodity. In the colonial period, blacks in slavery and white indentured servants were the primary farm laborers. By the mid-eighteenth century, white indentured servants were as numerous as black slaves. Slightly less than one-half of the blacks in the state in 1790 were free; however, by 1810, less than one-quarter of blacks were slaves according to federal censuses. Free black labor played an increasing role in farm production in Delaware as ethical and economic factors reduced the profitability of slavery prior to the Civil War. After Emancipation, black labor continued to be a significant factor in farm production.

According to the 1810 national census, the population of Kent County was 20,495 persons. Marginal farm lands were being increasingly settled since good, well-drained lands with access to markets were becoming more scarce. The move inland from navigable waterways apparent by the late eighteenth century began with the influx of new populations, particularly from England. This period of growth from the late eighteenth to early nineteenth centuries, however, was short-lived with the population of Kent County actually decreasing in the late 1810s to the 1830s. By 1840, the population of Kent County, according to the national census, had declined to 19,872 persons. Given the natural increase of the population that remained in Kent

County during this period, the number of people leaving and "passing through" the county is even greater. The rapid population growth of the first decades of the nineteenth century in Delaware also forced many farmers off the land. Competition for prime land forced many new farmers to clear and till land of poor or marginal quality. Many of these farmers were then hard pressed to turn a profit from their farmsteads and thus became part of the outward migration from Delaware.

A decline in wheat prices and increased competition for good land was accompanied by a significant decrease in the fertility of agricultural lands throughout the state. Poor farming methods, erosion, and simply exhausted land contributed to the economic woes of Delaware farmers. Increased opportunities in urban areas and the West also served to draw people from Delaware, and Kent County in particular. As more and more people left Delaware, the resulting labor shortage made the cultivation of marginal and exhausted lands even less profitable. Thus, even more people moved away from Kent County.

The economic crises of the first decades of the nineteenth century helped to spur the beginning of an agricultural revolution throughout Delaware. The first agricultural improvement society in Kent County was formed in 1835. The discovery of marl, a natural fertilizer, during the construction of the Chesapeake and Delaware Canal in the 1820s enhanced the productivity of Delaware agriculture. The opening of the canal in 1829 further encouraged the production of market-oriented crops by providing for more efficient transportation of perishable goods. The opening of the Philadelphia, Wilmington

and Baltimore Railroad in 1839 complemented existing water-based transportation systems and provided transportation of northern Delaware produce to the growing eastern markets. When the Delaware Line extended rail service to Dover, and later Seaford, in the 1850s, a vast agricultural hinterland was opened and agricultural production for markets increased significantly.

Prior to 1832, Delaware's agricultural products were primarily grains. Fruit and vegetable crops were of lesser importance. Nonetheless, from the 1830s to the 1870s, Delaware was the center for peach production in the eastern United States. Rich soil, favorable climate and rainfall, excellent transportation facilities, and strategic locations near large markets made peach production a lucrative enterprise. The peach industry was hindered in Kent and Sussex counties until the 1850s due to transportation limitations. Early attempts there failed because producers could not move fruit to market economically. Rail service into the area and the absence of the peach blight in the southern counties made peaches profitable into the 1870s. By the end of the "peach boom," massive harvests were being shipped by rail and steamship lines to New York where the produce was readied for resale to the northern states. The spread of a disease known as the "Yellows" devastated orchards throughout the state and brought an end to the boom. However, until the peach blight curtailed production, the peach industry proved profitable for a large number of peach growers, as well as a variety of support industries.

Throughout the nineteenth century, and into the twentieth, agriculture in Delaware continued to focus on perishable products with a decrease in staples. More diverse crops, including tomatoes, apples, potatoes, and truck produce became more common in response to the demands of markets in New York, Philadelphia, Baltimore, and other cities. The number of acres cultivated in Kent County rose from approximately 283,000 acres in 1850 to 338,000 acres by 1900. Poultry and dairy production also increased significantly in this period in Delaware, particularly in Kent and Sussex counties. Concurrent with the rise in importance of truck crops and dairy products in the late nineteenth century was the improvement of transportation throughout the state. The completion of the Delaware Railroad trunkline through to Seaford in 1856 encouraged the production of such goods by providing quick and cheap access to regional markets. Prior to the Delaware Railroad, steamboats and other water craft provided areas of Kent County with cheap and efficient transportation.

Tenant farming, which had been common in the eighteenth century, became even more prevalent in the nineteenth century. Large landowners, having acquired much of their holdings during the hard times of the 1820s and 1830s, leased their land to tenants. Most of the landowners and tenants were white, although a number of tenants and farm laborers, particularly in Kent and Sussex counties, were black. By 1900, over 50 percent of all farmers in Delaware were tenants or sharecroppers. Sites associated with agricultural tenancy comprise a significant number of the historic archaeological and standing structure

resources identified along the southern Route 13 Corridor. Tenancy remained a dominant farming practice into the twentieth century, with almost 50 percent of the farmers in Kent County being tenants in 1925.

The agricultural trends identified in the late nineteenth century continued relatively unchanged well into the twentieth century. Corn and wheat declined in importance due to competition from the western states. By 1880, alfalfa, legumes, and truck crops were increasing in importance, and by the mid-twentieth century had become more profitable than wheat. Dover was still the largest city in Kent County, although smaller than Wilmington and Newark.

The late nineteenth and early twentieth centuries also saw the increasing commercialization of southern New Castle and Kent counties. Light manufacturing, including carriage making and cabinet making, and foodstuff processing, including canning and juice/syrup production, became an important part of the Delaware economy. Smyrna and Dover were the sites of most of this commercial and manufacturing activity, although other areas including Camden-Wyoming and Frederica were involved.

The late nineteenth century also saw the continued growth of different ethnic communities in Kent County, particularly of Amish and Mennonites in the area west of Dover and of "Moors" in the Cheswold area. A number of prosperous Amish and Mennonite farms still exist near Fork Branch. The "Moors" of Delaware are a group of people who claim a common descent from a number of Black, Indian, and European ancestors. Until the early twentieth

century, the Moors maintained their own schools and in World War I and II insisted on being listed as a separate race. As with the Amish and Mennonites, the Moor community exists today.

The patterning and density of settlement in Delaware, and the study area specifically, have been strongly influenced by several factors throughout its history: 1) an agrarian economy; 2) the commodity demands of large markets, first Europe and the West Indies, and later domestic commercial-industrial centers, and 3) transportation facilities. The completion of the Dupont Highway in 1923 linked the northern and southern sections of the state and helped to complete the shift in agricultural production towards non-local markets and open new areas to productive agriculture. Improved transportation in the twentieth century also brought a decline in the importance of the many small crossroad and "corner" communities that had sprung up in the late eighteenth and nineteenth centuries.

BACKGROUND RESEARCH

The possible existence of an unmarked cemetery in the path of the proposed realignment of Lafferty Lane was revealed during a routine archival investigation of the proposed right-of-way. The Hopkins Plots Collection at the State Bureau of Archives in Dover, Delaware contained an 1878 plot of William Dyer's 242 acre farm (formerly the Francis Register farm). The Hopkins Plot (Figure 4) noted one corner of the property with this caption: "a stone in a grave yard, said to be the headstone of the grave of Robert Graham, deceased, by Nehemiah & Henry M. Clark, Surveyors in February 1844 - and is a corner of the McMullen tract in the